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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/753,097

**Applicant(s)**

KORTUM ET AL.

**Examiner**

RASHEDUL HASSAN

**Art Unit**

2179

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4, 6, 8-13, 15-33, 35-38 and 40-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 8-13, 15-33, 35-38 and 40-45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Final Drawing Review (PTO-848)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

Claims 29-33, 35-37 and 45 are directed to a system. However, the system as claimed does not positively recite any physical component to constitute a part of the system. For example, a "computing platform", a "participant status engine", a "presentation engine" as recited in the independent claim 29 can be reasonably interpreted as consisting of functional descriptive materials only. As such, the system can be reasonably interpreted as software per se. and therefore raises rebuttable presumption that the claim is directed to non-statutory subject matter under the meaning of 35 U.S.C. § 101.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1-2, 4, 6, 12-13, 21-22, 38, and 40-44 are rejected under 35 U.S.C. 102(b) as being anticipated by Fenton et al. (US 5,619,555) hereinafter Fenton.**

For claim 1, Fenton teaches ***a collaborative call method comprising:***

***initiating presentation of a graphical user interface (GUI) element*** (e.g., the display screen illustrated in Fig. 10) ***by a presentation engine*** (e.g., either the GUI program on a user workstation, or the System Controller 26; see Fig. 7) ***to a caller's device*** (e.g., to the user's workstation) ***associated with a caller joining in a collaborative call*** (i.e., when the user joins the collaborative call, see step "Join Meeting Now" in Fig. 4, "Join Meeting" button in Fig. 6, and flow chart of Fig. 7), ***after the caller has been identified*** (e.g., see 100, 102, 104, 106, 108 and 110 in Fig. 4, also see Fig. 5, and corresponding authentication procedure discussed in c8:3-36), ***the GUI element operable to display a listing of call participants associated with the collaborative call*** (e.g., the GUI element illustrated in Fig. 10 displays a listing under the heading "Caller" of all call participants, also see c10:7-10); ***and***

***updating information presented in the GUI element in response to a change in a status of one or more of the call participants*** (e.g., see 220,222,224 in Fig. 9).

For claim 2, Fenton further teaches ***the method of claim 1, further comprising: recognizing that the caller has joined the collaborative call as a call participant*** (e.g., see 216 in Fig. 9); ***and***

***presenting a name associated with the caller within the GUI element*** (e.g., when system refreshes the status of meeting including participants by name as illustrated in 220 in Fig. 9).

For claim 4, Fenton further teaches ***the method of claim 1, further comprising prompting the caller joining the collaborative call as a call participant to speak in connection with identifying the caller*** (see col. 9:18-22).

For claim 6, Fenton further teaches ***the method of claim 1, wherein the status of each call participant is selected from a group consisting of an on-call state*** (e.g., by displaying the participants name), ***an off-call state*** (e.g., by removing the participants name from the participant list), ***a currently speaking state*** (e.g., by using the asterisk mark under the column "Speaker" as illustrated in Fig. 10, also see 220 in Fig. 9 and accompanying discussion in col. 9:39-45), ***a waiting to speak state, and a paused-call state.***

For claim 12, Fenton further teaches ***the method of claim 1, further comprising receiving a signal indicating a desire of a first call participant to communicate with at least a second call participant via the collaborative call*** (e.g., receiving a voice signal of a first call participant as the participant speaks, because the voice signal itself is "indicating a desire of a first call participant to communicate" in the broadest reasonable interpretation).

For claim 13, Fenton further teaches ***the method of claim 12, further comprising updating the GUI element to indicate the desire*** (since the GUI element is updated with an asterisk associated with the caller's name designating the caller as the current speaker. See Fig. 5, wherein the caller "Taylor" is designated as the current speaker).

For claim 21, Fenton further teaches ***the method of claim 1, wherein the GUI element comprises an administrative feature icon operable to trigger termination of a web session associated with the collaborative call*** (e.g., the "EXIT" button in Fig. 10, see c10:57-63), ***the method further comprising:***

***recognizing that the caller has joined the collaborative call*** (i.e., such recognition follows when the user selects "Join Meeting Now" button, see 200 in Fig. 7. Such recognition is also inherent since the GUI of Fig. 10 is displayed on the display device of only the call participants, and therefore it follows that the system must recognize that the caller has joined the collaborative call so that the GUI of Fig. 10 can be initiated on the caller's display);

***determining that the caller is a call host*** (Fenton mentions, "During the actual conference, any authorized user, such as the conference organizer, can change the parameters, for example, to activate or deactivate recording." See c6:25-27. Apparently changing the parameters to activate or deactivate recording is done via the "Stop Rcrdg." button shown in Fig.

10. Therefore, it follows that in order to determine whether the caller is authorized to activate or deactivate recording, the caller identity is determined, which involves determining whether the caller is the call organizer/host or not); **and**

**initiating presentation of the GUI element on a display associated with the call host, after the caller is determined to be the call host** (i.e., Fenton teaches that the GUI of Fig. 10 is displayed on a display associated with the caller after the caller has been identified, see Fig. 4 outlining the steps for identifying a caller before displaying the GUI of Fig. 10. This is true irrespective of whether the caller is the call host or not).

For claim 22, Fenton further teaches **the method of claim 21, further comprising: receiving a signal indicating activation of the administrative feature icon; and terminating the web session** (e.g., once the user activates the Exit button in Fig. 10, the web session controlling the GUI of Fig. 10 is terminated. See c6:25-27).

For claim 38, Fenton teaches **a method comprising:**

**presenting a graphical user interface (GUI) element** (e.g., the GUI of Fig. 10) **automatically by a presentation engine** (e.g., the Graphical User Interface Program on User Workstation, see Fig. 9) **to a device** (e.g., 16 or 18 in Fig. 1) **associated with a caller joining in a collaborative call comprising call participants, after the caller has been identified** ((e.g., see 100, 102, 104, 106, 108 and 110 in Fig. 4, also see Fig.

5, and corresponding authentication procedure discussed in c8:3-36), ***the GUI element operable to display a listing of the call participants*** (e.g., the GUI element illustrated in Fig. 10 displays a listing under the heading "Caller" of all call participants, also see c10:7-10), ***the listing including a participant status associated with each of the call participants*** (e.g., see 220,222,224 in Fig. 9, also see Fig. 10); ***and***

***updating information presented in the GUI element in response to a change in the participant status of one of the call participants*** (e.g., see 220,222,224 in Fig. 9);

***wherein the participant status is related to activity by the corresponding call participant during the collaborative call*** (see the flowchart of Fig. 9).

For claim 40, Fenton further teaches ***the method of claim 38, further comprising communicating data to a calendar program associated with one of the call participants, wherein the data is communicated via a software package*** (see Fig. 6 wherein the scheduled meetings for a user are displayed. Thus the program providing this schedule is interpreted as a calendar program).

For claim 41, Fenton further teaches ***the method of claim 38, further comprising automatically delivering an audible indication to the call participants***



**when a host begins speaking** (e.g., the voice signal of the host as the host begins speaking).

For claim 42, Fenton further teaches **the method of claim 38, further comprising automatically delivering an audible announcement to the call participants when one or more of the call participants has left the collaborative call** (see the "Announce arrival" and "Announce departure" fields in Fig. 2).

For claim 43, Fenton further teaches **the method of claim 38, wherein a first call participant participates in the collaborative call via a wireless device** (e.g., he teaches that a participant can join the call using a cellular phone, see c9:8-9) **and a second participant participates in the collaborative call via Public Switched Telephone Network (PSTN)** (e.g., see 20 in Fig. 1).

For claim 44, Fenton further teaches **the method of claim 38, wherein a first call participant participates in the collaborative call via a computer** (e.g., via the GUI program on User Workstation, see Fig. 4) **and a second participant participates in the collaborative call via a wireless device** (e.g., he teaches that a participant can join the call using a cellular phone, see c9:8-9) **or Public Switched Telephone Network (PSTN)** (e.g., see 20 in Fig. 1).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

**Claims 20, 23-24, 26, 29, 32-33, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fenton.**

For claim 20, Fenton teaches ***the method of claim 1, wherein the GUI element comprises an administrative feature icon*** (e.g., "Stop Rcdrg" or "Lock Meeting" icons in Fig. 10), ***the method further comprising:***

***recognizing that the caller has joined the collaborative call*** (i.e., such recognition follows when the user selects "Join Meeting Now" button, see 200 in Fig. 7.

Such recognition is also inherent since the GUI of Fig. 10 is displayed on the display device of only the call participants, and therefore it follows that the system must recognize that the caller has joined the collaborative call so that the GUI of Fig. 10 can be initiated on the caller's display);

***determining that the caller is a call host*** (Fenton mentions, "During the actual conference, any authorized user, such as the conference organizer, can change the parameters, for example, to activate or deactivate recording." See c6:25-27. Apparently changing the parameters to activate or deactivate recording is done via the "Stop Rcrdg." button shown in Fig. 10. Therefore, it follows that in order to determine whether the caller is authorized to activate or deactivate recording, the caller identity is determined, which involves determining whether the caller is the call organizer/host or not.);

***initiating presentation of the GUI element on a display associated with the call host, after the caller is determined to be the call host*** (i.e., Fenton teaches that the GUI of Fig. 10 is displayed on a display associated with the caller after the caller has been identified, see Fig. 4 outlining the steps for identifying a caller before displaying the GUI of Fig. 10. This is true irrespective of whether the caller is the call host or not.);

***recognizing that a second caller has joined the collaborative call*** (i.e., such recognition follows when the second caller selects "Join Meeting Now" button, see 200 in Fig. 7. Such recognition is also inherent since the GUI of Fig. 10 is displayed on the display device of only the call participants, and therefore it follows that the system must

recognize that the second caller has joined the collaborative call so that the GUI of Fig. 10 can be initiated on the caller's display); **and**

***initiating presentation of a second GUI element on a display associated with the second caller by the presentation engine, after the second caller is recognized*** (i.e., Fenton teaches that the GUI of Fig. 10 is displayed on a display associated with the caller after the caller has been identified, see Fig. 4 outlining the steps for identifying a caller before displaying the GUI of Fig. 10. This is true irrespective of whether the caller is the call host or not).

Fenton does not explicitly mention ***wherein the second GUI element does not include the administrative feature icon***. However, Fenton mentions, "During the actual conference, any authorized user, such as the conference organizer, can change the parameters, for example, to activate or deactivate recording." **Emphasis added**, see c6:25-27. Apparently changing the parameters to activate or deactivate recording is done via the "Stop Rcrdg." button shown in Fig. 10. Since Fenton mentions that only authorized users can activate or deactivate recording, it follows that the "Stop Rcrdg." button for activating or deactivating recording is made available only to those callers who are authorized. Thus, the Examiner considers that the reference implicitly teaches that when the second caller is not authorized to activate or deactivate recording, the "Stop Rcrdg" button is not included in the GUI of Fig. 10 presented to the second caller's display. Nevertheless, since the reference does not explicitly mention this, the teaching is considered to be at least obvious in view of the reference for the reason mentioned above.

For claim 23, Fenton teaches ***a computer-readable medium comprising computer-readable data executable by a processor to:***

***initiate presentation of a host graphical user interface (GUI) in connection with a collaborative call, the host GUI comprising an administrator icon and a listing of call participants associated with the collaborative call*** (e.g., the GUI of Fig. 10 comprising an administrator icon, e.g., "Stop Rcrdg." Icon);

***initiate presentation of a participant GUI having an appearance different than the host GUI by a presentation engine to a device associated with a caller joining in the collaborative call, after the caller has been identified*** (e.g., the GUI of Fig. 10 but without the "Stop Rcrdg." Icon when the caller is not authorized to activate or deactivate recording. See also the discussion in the rejection of claim 20 above); ***and***

***update information presented in the host GUI in response to a change of status of a call participant*** (e.g., 220, 222, 224 in Fig. 9).

For claim 24, Fenton further teaches ***the computer-readable medium of claim 23, further comprising additional computer-readable data executable by the processor to update participant GUI information presented in response to the change of status of the call participant*** (e.g., 220, 222, 224 in Fig. 9).

For claim 26, Fenton further teaches ***the computer-readable medium of claim 23, wherein the status of each call participant is selected from a group consisting of an on-call state, an off-call state, a currently speaking state, a waiting to speak state, and a paused-call state*** (see the rejection of claim 6 hereinabove. Since the limitations of the claim are similar to that of claim 6, this claim is rejected under the same reasoning as discussed in detail for claim 6 above).

For claim 29, Fenton teaches ***a collaborative call system, comprising:***  
  
***a computing platform*** (e.g., platform 12 in Fig. 1) ***operable to be communicatively coupled to a remote host station*** (e.g., 16 in Fig. 1, since any one of the two terminals 16 and 18 can be the host terminal) ***and a remote participant station*** (e.g., 18 in Fig. 1, since any one of the two terminals 16 and 18 can be the participant terminal);

***a participant status engine*** (e.g., the "System Controller" 26 in Fig. 1) ***operable to execute on the computing platform and to track a status associated with a corresponding participant of a collaborative call*** (e.g., see 220,222,224 in Fig. 9), ***wherein the status is selected from a group consisting of an on-call state*** (e.g., by displaying the participants name), ***an off-call state*** (e.g., by removing the participants name from the participant list), ***a currently speaking state*** (e.g., by using the asterisk mark under the column "Speaker" as illustrated in Fig. 10, also see 220 in

Fig. 9 and accompanying discussion in col. 9:39-45), **a waiting to speak state, and a paused-call state; and**

**a presentation engine** (e.g., the Graphical User Interface Program on User Workstation, see Fig. 9) **associated with the participant status engine, the presentation engine operable to initiate presentation of a first graphical user interface (GUI) on the remote host station associated with a host, after the host is identified** (i.e., Fenton teaches that the GUI of Fig. 10 is displayed on a display associated with the caller after the caller has been identified, see Fig. 4 outlining the steps for identifying a caller before displaying the GUI of Fig. 10. This is true irrespective of whether the caller is the call host or not), **and a second GUI on the remote participant station associated with a caller, after the caller joining the collaborative call is identified, wherein the second GUI differs from the first GUI** (e.g., the GUI of Fig. 10 but without the "Stop Rcrdg." Icon when the caller is not authorized to activate or deactivate recording. See also the discussion in the rejection of claim 20 above).

For claim 32, Fenton further teaches **the system of claim 29, further comprising an update engine** the "System Controller" 26 in Fig. 1) **associated with the presentation engine** (e.g., the Graphical User Interface Program on User Workstation, see Fig. 9), **the update operable to initiate an updating of the first GUI and the second GUI in response to a change in the status of a particular participant** (e.g., see 220,222,224 in Fig. 9).

***For claim 33, Fenton further teaches the system of claim 29, further comprising a thin client operable to execute at the remote host station*** (because the GUI program executing at the remote host station can be considered a thin client software since it only handles the user interface where the bulk of the processing is carried out on the platform 12 illustrated in Fig. 1).

For claim 45, Fenton further teaches ***the collaborative call system of claim 29, wherein the presentation engine is operable to display an image*** (e.g., the GUI of Fig. 10 shows an image of a conference room) ***or a portion of a document on the first GUI or the second GUI during the collaborative call.***

Claims 3 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fenton in view of Pickett (US 6,154,465).

For claim 3, Fenton teaches all the limitations of the method of claim 1 except for, ***further comprising using a caller ID service to identify the caller joining the collaborative call as a call participant.*** Fenton teaches a database containing user profile record (see Fig. 3) which is utilized to identify the caller joining the collaborative call as a call participant using the GUI of his invention. However, Fenton also teaches that a caller does not need to use the GUI of his invention in order to join as a participant in a collaborative call. A caller can dial a direct dial number to join in the



audio conference (see c6:35-47). In such cases, if the caller is not registered in the system, i.e., in the database, the system identifies the caller as "guest" in the GUI as shown in Fig. 10 (see c10:22-25). In the same field of invention, Pickett teaches a collaborative call management method and corresponding system (see c22:21-26). In addition, Pickett further teaches using a caller ID service to identify the caller joining the collaborative call as a call participant (see c18: 5-21). Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Fenton and Pickett before him at the time of the invention, to modify the caller identification mechanism for identifying a caller who dials in directly into the collaborative call as taught by Fenton, to use a caller ID service to identify the caller joining the collaborative call as a call participant as taught by Pickett. One would have been motivated to make such a combination because identification of each individual caller who dials in directly into the collaborative call would have been achieved instead of generally identifying all such callers as simply "guest".

For claim 35, Fenton teaches all the limitations of the system of claim 29 except for wherein ***the collaborative call comprises a voice over Internet Protocol (VoIP) call***. However, Pickett further teaches that the collaborative call comprises a voice over IP (VOIP) call (column 11 lines 24-34, column 13 lines 9-11). Therefore, it would have been obvious to one of ordinary skill in the art having the teaching of Fenton and Pickett before him at the time of the invention, to accommodate a VoIP call also in the collaborative call as a person of ordinary skill has good reason to pursue the known

options within his/her technical grasp and such combination is likely the product not of innovation but of ordinary skill and common sense.

**Claims 8, 12-13, 15, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fenton in view of Weisman et al. (US 2004/0047461 A1) hereinafter Weisman.**

For claim 8, Fenton teaches the limitations of the claim as recited in the method of claim 1 except for the limitation ***further comprising tracking a caller metric for at least one of the call participants, wherein the caller metric is selected from a group consisting of a call joining time, a call exiting time, an on-call duration time, an accepted to-do list, and a participation level indicator.*** In the same field of invention, Weisman teaches a method and corresponding system to allow individuals to initiate, join, manage, and participate in a conference call similar to that of Fenton (see Abstract). In addition, Weisman further teaches *tracking a caller metric for at least one of the call participants, wherein the caller metric is selected from a group consisting of a call joining time* (e.g., "Time On" field in "Participation" table 530 in Fig. 5, see [0207]), *a call exiting time* (e.g., "Time Off" field in "Participation" table 530 in Fig. 5, see [0207]), *an on-call duration time* (e.g., this information can be tracked by deriving it from the Time On and Time Off fields), *and a participation level indicator* (e.g., "Speaking Time" field in "Participation" table 530 in Fig. 5, see [0209]). It would have been obvious to

one of ordinary skill in the art at the time of the invention, to modify Fenton to include the functionality of tracking a caller's metric as taught by Weisman, in order to arrive at the present invention. One would have been motivated to make such a combination because it would allow improving Fenton's conference system to provide additional functionalities as taught by Weisman, for example, as Weisman mentions, the metric "Time On" for instance has many uses such as to determine whether certain rights have expired (e.g., if the participant is only entitled to 10 minutes of participation), for an algorithm that recognize a "Request" from a participant on the basis of the participant's seniority (i.e., a "Request" is the mechanism by which a participant can request to become the speaker, see [0075]), and for billing (see Weisman, [0207]).

For claim 12, Fenton teaches ***the method of claim 1, further comprising receiving a signal indicating a desire of a first call participant to communicate with at least a second call participant via the collaborative call*** because receiving a voice signal of a first call participant as the participant speaks itself is "*indicating a desire of a first call participant to communicate*" in the broadest reasonable interpretation. Additionally, or in the alternative, the claim is considered obvious over Fenton in view of Weisman according to a narrower interpretation which requires interpreting "*a signal indicating a desire*" to be different than a voice signal as a participant speaks. Weisman explicitly mentions that the user interface provides a mechanism by which a participant can request to become the speaker in the conference call (see [0075], and [0147]). Therefore, it would have been obvious to one of ordinary

skill in the art, having the teaching of Fenton and Weisman before him at the time of the invention, to modify the collaborative call method of Fenton to include the "Request" mechanism of Weisman in order to arrive at the present invention. One would have been motivated to make such a combination because a flexible floor controlling mechanism that caters to all the participants who desire to speak would have been obtained, as taught by Weisman.

For claim 13, Fenton teaches ***the method of claim 12, further comprising updating the GUI element to indicate the desire*** since the GUI element is updated with an asterisk associated with the caller's name designating the caller as the current speaker (see previous rejection of claim 13 in page 3 of this Office Action). However, additionally, or in the alternative, the claim is considered obvious over Fenton in view of Weisman according to the narrower interpretation discussed in the rejection of claim 12 above (see the second rejection of claim 12 in page 7 of this Office Action). Referring to Fig. 4, Weisman mentions, " 'Request' (not shown in participant action menu 440) is the mechanism by which a participant not presently designated as speaker may request to become the designated speaker. Upon selecting 'Request,' the requesting participant's name or pseudonym is added to the next speaker list 420. The names of all participants having so requested 422, 424 appear in the list 420..." (emphasis added, see [0147]). Thus Weisman teaches updating

the GUI element to indicate the desire by updating the Next Speaker List 420 in the GUI.

For claim 15, the combined invention of Fenton and Weisman further teaches ***the method of claim 12, further comprising:***

***updating the GUI element to include an indication of the desire*** (as already discussed in the second obviousness rejection of claim 13 above in pages 7-8);

***recognizing a subsequent communication by the first call participant*** (implicitly taught by Weisman as a subsequent communication by the first call participant, i.e., by the next speaker, is apparently received once the next speaker becomes the current speaker); ***and***

***updating the GUI element to remove the indication*** (also implicitly taught by Weisman, since once the first call participant, i.e., the next speaker, becomes the current speaker, s/he ceases to be the next speaker and therefore the system has to update the Next Speaker List 420 to remove the first call participant from the list).

For claim 37, Fenton and Weisman in combination further teaches ***the system of claim 29, further comprising a next to speak engine associated with the presentation engine, the next to speak engine operable to recognize a desire of one of the participants to communicate via the collaborative call and to initiate***

***presentation of an indication of the desire in the first GUI*** (e.g., see the rejection of claims 12, 13 and 15 above).

**Claims 9, 16-19, 25, 27-28, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fenton in view of Nakata et al (US 2003/0169291) hereinafter Nakata.**

For claim 9, Fenton teaches all the limitations of the method of claim 1 except for, ***further comprising generating a collaborative call report***. Fenton does not mention producing a "report". In the same field of invention, Nakata teaches a desktop conference method that displays the speech of the conference participants in text format in near real-time in a chat area 73 (Fig. 7) using a speech-character conversion function ([0047]). Nakata further teaches that the text of the chat area 73 can be stored as data and distributed after the conference is over via email ([0046]). This stored conference data distributed after the completion of the conference via email constitutes a collaborative call report. Therefore, it would have been obvious to a person of ordinary skill in the art, having the teaching of Fenton and Nakata before him at the time of the invention, to combine the teachings in order to generate a collaborative call report. The motivation for such combination would have been to provide for future reference of the collaborative call as taught by Nakata (see Nakata [0049]).

For claim 16, Fenton teaches the limitations of the claim as recited in the method of claim 1 except for the limitation ***further comprising presenting at least a portion of a transcript of the collaborative call in a textual format within a near real time chat window associated with the GUI element.*** In the same field of invention, Nakata teaches a desktop conference method displaying a GUI element. In addition Nakata further teaches the GUI element displays the speech of the conference participants in text format in near real-time in a chat area 73 (Fig. 7) using a speech-character conversion function ([0047]). Therefore, it would have been obvious to a person of ordinary skill in the art, having the teaching of Fenton and Nakata before him at the time of the invention, to modify the GUI element of Fenton to include a real time chat window presenting at least a portion of a transcript of the collaborative call in textual format as taught by Nakata in order to arrive at the present invention. The motivation for combining the teachings would have been to preserve the conference as electronic data to be reproduced at anytime for future reference (Nakata [0049]), as well as to facilitate referring to the textual transcript during the conference if needed.

For claim 17, Fenton teaches the limitations of the claim as recited in the method of claim 1 except for the limitation ***further comprising creating a blog of the collaborative call, wherein the blog comprises at least a portion of a transcript of the collaborative call.*** In the same field of invention, Nakata teaches a desktop conference method displaying a GUI element. In addition Nakata further teaches the GUI element displays the speech of the conference participants in text format in near

real-time in a chat area 73 (Fig. 7) using a speech-character conversion function ([0047]). Nakata further teaches that the text of the chat area 73 can be stored as data and distributed after the conference is over via email ([0046]). He further mentions, "Because those displayed on the desktop conference screen 70 can be recorded and reproduced, the conference can be reproduced at any time by preserving them as the electronic data with the speech inputted through the microphone 11" (see [0049]). It is reasonable to expect that it would have been obvious and certainly within the ordinary capability of a person skilled in the art at the time of the invention to reproduce the conference on the web, i.e., to create a blog of the conference call, using the conference data preserved as electronic data as taught by Nakata, since creating a blog was existing knowledge in the art at the time of the invention. The motivation for creating such a blog would have been to make the conference data available for further reference (Nakata [0049]).

For claim 18, Fenton teaches the limitations of the claim as recited in the method of claim 1 except for the limitation, **further comprising:**

***generating a collaborative call report comprising a list of participants and a transcript of at least a portion of the collaborative call; and***

***distributing the collaborative call report to at least one call participant.***

However, as already discussed in the rejection of claim 9 hereinabove, Nakata teaches generating a collaborative call report. He also teaches **wherein the collaborative call report comprises a list of the call participants**, since the content



of the chat window area 73 from which the report is generated includes a list of call participants who spoke during the conference call. Additionally, Nakata mentions, "Because those displayed on the desktop conference screen 70 can be recorded and reproduced, the conference can be reproduced at any time by preserving them as the electronic data with the speech inputted through the microphone 11" (see [0049]). The information, referred to in the excerpt above as "those displayed on the desktop conference screen 70," include a list of participants (e.g., as illustrated within area 75 in Fig. 7). It is reasonable to expect that it would have been obvious and certainly within the ordinary capability of a person skilled in the art at the time of the invention to include any of this information, including a list of all the call participants recorded and stored in the system, in the generated report. He also teaches **wherein the collaborative call report comprises a transcript of at least a portion of the collaborative call**, since the text of the chat area 73 constitutes a transcript of the collaborative call. Finally He further teaches **distributing the collaborative call report** to those concerned by E-mail (see [0046]). Although he does not specifically mention **to at least one call participant**, it would have been obvious to one of ordinary skill in the art to distribute the collaborative call report to participants of the collaborative call to facilitate further reference (Nakata [0049]).

For claim 19, Fenton and Nakata in combination further teaches **the method of claim 18, wherein distributing the collaborative call report comprises sending a**

***message selected from a group consisting of an electronic mail message (see Nakata [0046]), an Instant Message, a facsimile message, and a physical paper message.***

For claim 25, Fenton and Nakata in combination teaches ***the computer-readable medium of claim 23, further comprising additional computer-readable data executable by the processor to:***

***generate a transcript of the collaborative call; and***

***initiate communication of the transcript to at least one call participant*** (see the rejection of claim 18 hereinabove. Since the limitations of the claim are similar to that of claim 18, this claim is rejected under the same reasoning as explained in detail in the rejection of claim 18 above).

For claim 27, Fenton and Nakata in combination teaches ***the computer-readable medium of claim 23, further comprising additional computer-readable data executable by the processor to initiate presentation of a GUI element within the host GUI, the GUI element comprising at least a portion of a transcript of the collaborative call in a textual format*** (see the rejection of claim 16 hereinabove. Since the limitations of the claim are similar to that of claim 16, this claim is rejected under the same reasoning as explained in detail in the rejection of claim 16 above).

For claim 28, Fenton and Nakata in combination teach ***the computer-readable medium of claim 27, wherein the transcript is presented in near real time*** (see the rejection of claim 16 hereinabove. Since the limitations of the claim are similar to that of claim 16, this claim is rejected under the same reasoning as explained in detail in the rejection of claim 16 above).

For claim 31, Fenton and Nakata in combination further teaches ***the system of claim 29, further comprising a communication engine (e.g., E-mail software) operable to initiate communication of a call report to the remote host station in response to completion of the collaborative call*** (see the rejection of claim 18 hereinabove. Since the limitations of the claim are similar to that of claim 18, this claim is rejected under the same reasoning as explained in detail in the rejection of claim 18 above).

**Claims 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fenton and Nakata as applied to claim 9 above, and further in view of Weisman.**

For claim 10, Fenton and Nakata in combination teach a collaborative call report (see the rejection of claim 9 above). They also teach ***wherein the collaborative call report comprises a list of the call participants***, since the content of the chat window area 73 from which the report is generated includes a list of call participants who spoke

during the conference call. Additionally, Nakata mentions, "Because those displayed on the desktop conference screen 70 can be recorded and reproduced, the conference can be reproduced at any time by preserving them as the electronic data with the speech inputted through the microphone 11" (see [0049]). The information, referred to in the excerpt above as "those displayed on the desktop conference screen 70," include a list of participants (e.g., as illustrated within area 75 in Fig. 7). It is reasonable to expect that it would have been obvious and certainly within the ordinary capability of a person skilled in the art at the time of the invention to include any of this information, including a list of all the call participants recorded and stored in the system, in the generated report. While Fenton and Nakata in combination teach a collaborative call report comprising a list of call participants, they fail to teach **wherein the collaborative call report comprises a caller metric for at least one of the call participants**. In the same field of invention, Weisman teaches a method and corresponding system to allow individuals to initiate, join, manage, and participate in a conference call similar to that of Fenton (see Abstract). In addition, Weisman further teaches tracking various types of user metrics in a database (see Fig. 5). It has been already discussed in the rejection of claim 8 above why it would have been obvious to combine Fenton and Weisman in order to track user metrics by the system. Thus, it is similarly reasonable to expect that it would have been obvious and certainly within the ordinary capability of a person skilled in the art at the time of the invention to include these caller metrics for at least one of the call participants in the generated report.

For claim 11, the combination of Fenton, Nakata and Weisman further teaches ***the method of claim 10, wherein the collaborative call report further comprises a transcript of the collaborative call*** (since the text of the chat area 73 constitutes a transcript of the collaborative call).

**Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fenton in view of Bayless et al. (US 6,192,118 B1) hereinafter Bayless.**

For claim 30, Fenton teaches ***the system of claim 29, wherein the first GUI comprises a list of call participants*** (see Fig. 10). However, Fenton does not teach that the first GUI comprises ***a status icon for each of the participants***. But, in the same field of invention, Bayless teaches a conference system displaying a status icon for each participant (see 382 in Fig. 38). Therefore, it would have been obvious to a person of ordinary skill in the art having the teaching of Fenton and Bayless before him, to modify Fenton with this teaching of Bayless in order to arrive at the present invention. The motivation for such combination would have been to provide more user-friendly user interface by incorporating visual display of icons indicating the status of each participant of the collaborative call.

**Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fenton in view of Goldman et al. (US 6,134,235) hereinafter Goldman.**

For claim 36, Pickett teaches all limitations of the system of claim 29, except for ***further comprising an interactive voice response (IVR) unit communicatively coupled to the computing platform, the IVR unit operable to allow at least one participant to access information associated with the collaborative call via a voice telephone call.*** In the same field of invention, Goldman teaches the limitation. Goldman teaches that it was a well-known technique at the time of the invention to use IVR unit to allow callers to retrieve specific information using voice commands (column 2 lines 10-13). Therefore, it would have been obvious to a person of ordinary skill in the art given the knowledge available at the time of the invention to combine the teachings of Fenton with that of Goldman to use an interactive voice response unit to allow a participant to access information associated with the collaborative call. The motivation would have been to allow participants to access information related to the collaborative call at their convenience without waiting for a service representative (Goldman, column 2 lines 16-18).

#### ***Relevant Prior Art***

Following are some prior arts made of record as being relevant to the application but not relied upon in this rejection:

Bieselin et al. (US 5,559,875), Lowery et al. (US 6,148,068), Nakayama et al. (US 5,363,507), Tada et al. (US 5,572,728), Smythe et al. (US 6,418,214 B1), Santos (US 2003/0158900 A1).

***Response to Arguments***

Applicant's arguments with respect to claim 3/17/2008 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **RASHEDUL HASSAN** whose telephone number is (571)272-9481. The examiner can normally be reached on M-F 7:30AM - 4PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Rashedul Hassan/  
Examiner, Art Unit 2179

/Weilun Lo/

**Supervisory Patent Examiner, Art Unit 2179**